

TITLE 4: BUSINESS AND SPECIAL LICENSES, REGULATIONS

DIVISION 5: PERMIT REGULATIONS FOR EXPLOSIVES.

Chapter 3: PERMIT.

Section:

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45.031 Application for a permit shall be in writing; shall be presented to the issuing authority; and shall be on a form supplied by the issuing authority.

Amended Ordinance #1604 (1970);

45.032 A permit application shall, when submitted to the issuing authority, prior to the contemplated use of the explosives, contain the following:

- (a) The name and address of the applicant;
 - (b) The name and address of the employee or authorized representatives designated by the applicant as being responsible for the use, handling, storage, possession or transportation of explosives for the applicant;
 - (c) The place where, and the purpose for which, the explosives are intended to be used, handled, stored or possessed;
 - (d) The type and amount of explosives for which application is made; (e) The signature of the applicant;
 - (f) The number of times purchases may be made and the frequency of such purchases;
 - (g) The routes, highways, and stopping places intended to be utilized in transporting the explosives;
 - (h) Whether the applicant, or its employee or authorized representative designated as being responsible for the use, etc., of the explosives:
 - (1) Is an alien;
 - (2) Has been convicted of a felony;
 - (3) Has been convicted of a violation of California Health and Safety Code Section 11721;
 - (4) Is a registered sex offender pursuant to the provisions of California Penal Code Section 290;
 - (5) Has been adjudged at any time incompetent and/or insane.
 - (i) A recent photograph of the applicant, or the employee, or authorized representative, known as a "mug shot";
 - (j) A set of fingerprints of the applicant, or the employee or authorized representative.
- A statement of the applicant's or the employee's or authorized representative's previous experience with explosives shall be submitted with the application.

Amended Ordinance #1604 (1970);

45.033 The issuing authority shall examine the application, and if deemed necessary, require elaboration from the applicant on any subject matter disclosed in the application, when such elaboration relates to the competency of any person to be involved with the explosives. The issuing authority may also visit and inspect the applicant's premises, facilities, and/or vehicles which will be employed with regard to any transportation, storage or use of the explosives.

Amended Ordinance #1604 (1970);

45.034 After the issuing authority has weighed and studied all available information pertaining to the applicant's proposed use of the explosives, the issuing authority shall grant the permit, or if he finds that any person involved, lacks the necessary knowledge or planning with regard to ability to perform the contemplated uses with explosives, or that the property involved lacks the necessary characteristics from the standpoint of location of facilities, all with regard to safety of the individuals involved, public safety and security of private property, the issuing authority may deny the application,

No application for such a permit shall be approved by the issuing authority unless the storage facility is in strict compliance with the regulations adopted by the State Fire Marshal pursuant to Section 12081 of the California Health and Safety Code.

If the application is for a permit to transport one thousand (1,000) pounds or less of explosives on a public road or highway, the application shall include the following information:

- (a) A description of the vehicle or vehicles which will be employed in the transportation;
- (b) The route to be taken for such transportation and any stopping places. The description of such a vehicle shall include license number, make, model, weight, and a maintenance record of such a vehicle. The route proposed shall be subject to approval of the issuing authority.

Amended Ordinance #1604 (1970);

45.035 Before a permit shall be issued, the applicant shall post a bond in the amount of twenty-five thousand dollars (\$25,000) with the issuing authority to insure compliance with this Division, or submit evidence of a public liability insurance policy providing coverage for the activities proposed under the permit, for a minimum of the above sum, when deemed necessary by the issuing authority for public safety.

Amended Ordinance #1604 (1970);

45.036 A permit shall not be issued until after the payment of a fee of ten dollars (\$10), unless the quantity of explosives is one hundred (100) pounds or less, in which case the fee shall be two dollars (\$2).

Amended Ordinance #1604 (1970);

45.037 Except in a case in which the issuing authority determines that the explosives are necessary because of an emergency involving a danger to persons or property, no permit shall be issued until one (1) week has elapsed after application is made. If no affirmative action is taken on the application within fourteen (14) days after application is made, the issuing authority shall explain the cause for such delay to the applicant.

Amended Ordinance #1604 (1970);

45.038 A permit shall remain valid only until such time as the act or acts authorized by the permit are performed, but in no event shall the permit remain valid for a period longer than one (1) year from the date of issuance of the permit.

Amended Ordinance #1604 (1970);

45.039 A permit may be suspended or revoked, after reasonable notice by the issuing authority, if the person to whom the permit was issued sells, uses, stores, or handles the explosives in a manner which is unlawful or which creates an unreasonable hazard to life and property, or in violation of the *conditions* of the permit as indicated on the application.

Amended Ordinance #1604 (1970);